

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: August 17, 2005

Division: County Attorney

Bulk Item: Yes X No     

Department: Suzanne Hutton

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**AGENDA ITEM WORDING:**

Ratification of exhibit which should have been attached to Addendum No. 1 for the sale and purchase of property at Rockland Key.

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**ITEM BACKGROUND:**

This property was contracted to be purchased for use by Fleet Management. Two addenda were approved at the July meeting, but one recited an exhibit (legal description and 2 sketches) which was not attached.

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**PREVIOUS RELEVANT BOCC ACTION:**

On March 16, 2005, BOCC approved purchase agreement which had an attachment for description which was revised. On July 20, County approved two addenda to revise the legal description and provide for an access easement to be granted by seller to County.

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**CONTRACT/AGREEMENT CHANGES:**

No changes; documentation completes the transaction.

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**STAFF RECOMMENDATIONS:**

Approval.

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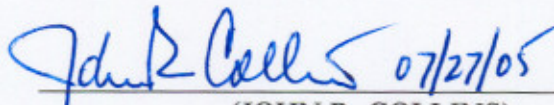
**TOTAL COST:** \$0 (Previously Approved)    **BUDGETED:** Yes NA No     

**COST TO COUNTY:** \$0    **SOURCE OF FUNDS:**           

**REVENUE PRODUCING:** Yes      No X    **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty X    OMB/Purchasing         Risk Management     

**DIVISION DIRECTOR APPROVAL:**

 07/27/05  
(JOHN R. COLLINS)

**DOCUMENTATION:** Included X    To Follow         Not Required     

**DISPOSITION:**                                     

**AGENDA ITEM #**



EXHIBIT A  
LEGAL DESCRIPTION

Property conveyed from Rockland to Monroe County

DESCRIPTION: PARCEL "A"

A parcel of land lying in and being a part of Government Lot No. 7, Section 21, Township 67 South, Range 26 East, Rockland Key, Monroe County, Florida (also to be known as Tract 4 of the future map or plat entitled "Rockland Key Commerce Center" at the time of recordation) and said parcel being more particularly described as follows:

Commencing at the Southwest corner of the map or plat entitled "Rockland Village" as recorded in Plat Book 4, Page 133, of the Public Records of Monroe County, Florida; thence North, along the Westerly limits of the said "Rockland Village", a distance of 29.30 feet to a point; thence West, leaving the said Westerly limits, a distance of 1840.50 feet to the Northwest corner of lands described in Official Records Book 373, Page(s) 112 and 113 of the said Public Records of Monroe County, Florida; thence continuing West, a distance of 932.99 feet to a point hereinafter to be known as the "Point of Beginning"; thence continuing West, a distance of 173.11 feet to a point; thence North, a distance of 340.74 feet to a point; thence East, a distance of 173.11 feet to a point; thence South, a distance of 340.74 feet back to the "Point of Beginning".

Containing 58,966 square feet or 1.394 acres more or less.

DESCRIPTION: PARCEL "B"

A parcel of land lying in and being a part of Government Lot No. 7, Section 21, Township 67 South, Range 26 East, Rockland Key, Monroe County, Florida (also to be known as Tract 5 of the future map or plat entitled "Rockland Key Commerce Center" at the time of recordation) and said parcel being more particularly described as follows:

Commencing at the Southwest corner of the map or plat entitled "Rockland Village" as recorded in Plat Book 4, Page 133, of the Public Records of Monroe County, Florida; thence North, along the Westerly limits of the said "Rockland Village", a distance of 29.30 feet to a point; thence West, leaving the said Westerly limits, a distance of 1840.50 feet to the



Northwest corner of lands described in Official Records Book 373, Page(s) 112 and 113 of the said Public Records of Monroe County, Florida; thence continuing West, a distance of 932.99 feet to a point; thence North, a distance of 340.74 feet to a point hereinafter to be known as the "Point of Beginning"; thence continuing North, a distance of 161.93 feet to a point; thence West, a distance of 173.11 feet to a point; thence South, a distance of 161.93 feet to a point; thence East, a distance of 173.11 feet back to the "Point of Beginning".

Containing 28,032 square feet or 0.644 acres more or less.

DESCRIPTION: PARCEL "C"

A parcel of land lying in and being a part of Government Lot No. 7, Section 21, Township 67 South, Range 26 East, Rockland Key, Monroe County, Florida (also to be known as Tract 13 of the future map or plat entitled "Rockland Key Commerce Center" at the time of recordation) and said parcel being more particularly described as follows:

Commencing at the Southwest corner of the map or plat entitled "Rockland Village" as recorded in Plat Book 4, Page 133, of the Public Records of Monroe County, Florida; thence North, along the Westerly limits of the said "Rockland Village", a distance of 29.30 feet to a point; thence West, leaving the said Westerly limits, a distance of 1840.50 feet to the Northwest corner of lands described in Official Records Book 373, Page(s) 112 and 113 of the said Public Records of Monroe County, Florida; thence continuing West, a distance of 932.99 feet to a point; thence North, a distance of 502.67 feet to a point hereinafter to be known as the "Point of Beginning"; thence East a distance of 110.00 feet to a point; thence North, a distance of 104.12 feet to a point; thence West, a distance of 283.11 feet to a point; thence South, a distance of 104.12 feet to a point, thence East, a distance of 173.11 feet back to the "Point of Beginning".

Containing 29,477 square feet or 0.677 acres more or less.



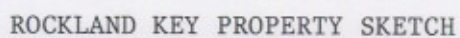
DESCRIPTION: PARCEL "D"

A parcel of land lying in and being a part of Government Lot No. 7, Section 21, Township 67 South, Range 26 East, Rockland Key, Monroe County, Florida (also to be known as Tract 20 of the future map or plat entitled "Rockland Key Commerce Center" at the time of recordation) and said parcel being more particularly described as follows:

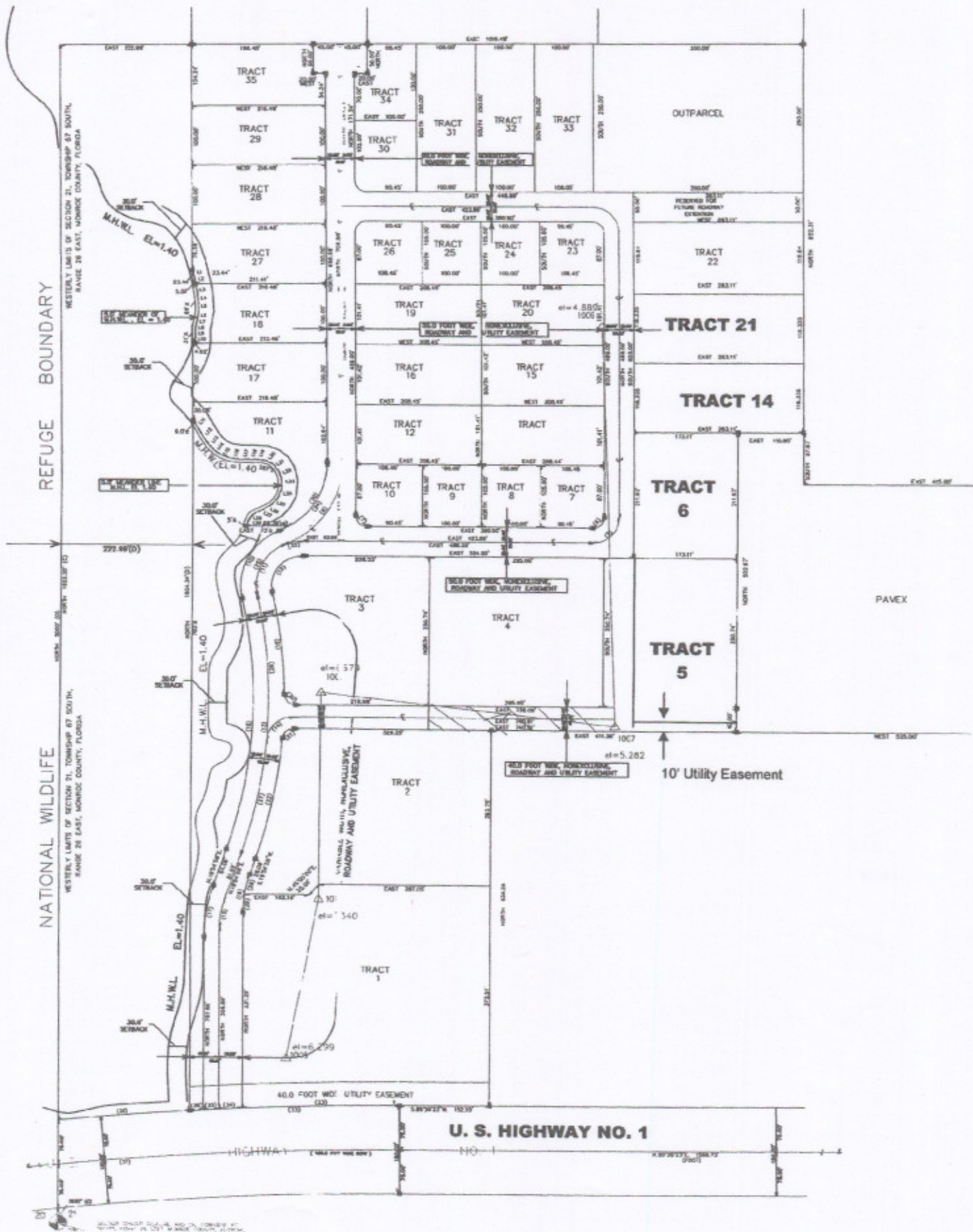
Commencing at the Southwest corner of the map or plat entitled "Rockland Village" as recorded in Plat Book 4, page 133, of the Public Records of Monroe County, Florida; thence North, along the Westerly limits of the said "Rockland Village", a distance of 29.30 feet to a point; thence West, leaving the said Westerly limits, a distance of 1840.50 feet to the Northwest corner of lands described in Official Records Book 373, Page(s) 112 and 113 of the said Public Records of Monroe County, Florida; thence continuing West, a distance of 932.99 feet to a point; thence North, a distance of 502.67 feet to a point; thence East, a distance of 110.00 feet to a point; thence North, a distance of 104.12 feet to a point hereinafter to be known as the "Point of Beginning"; thence continuing North, a distance of 104.12 feet to a point; thence West, a distance of 283.11 feet to a point; thence South, a distance of 104.12 feet to a point; thence East, a distance of 283.11 feet back to the "Point of Beginning".

Containing 29,477 square feet or 0.677 acres more or less.









ROCKLAND KEY PROPERTY  
 SKETCH OF PROPERTY AS DESCRIBED IN ORIGINAL AGREEMENT



## ADDENDUM NO. 1 TO AGREEMENT FOR THE PURCHASE OF LANDS

This Addendum ("Addendum") is executed and made as of the 16th day of May, 2005, by and between ROCKLAND INVESTMENT CORPORATION, INC., a Florida corporation (the "Seller") and MONROE COUNTY (the "County").

### WITNESSETH:

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, each to the other in hand paid, receipt of which is hereby acknowledged, and the mutual covenants and undertakings contained herein, the parties hereto agree to amend the Agreement for the Purchase of Lands (the "Contract") between them with respect to the real property described therein (the "Property") as follows:

1. Recitals. The above recitals are true and correct in all respects.
2. Capitalized Terms. Capitalized terms shall have the meanings defined in the Contract unless otherwise defined herein.
3. Change in Description of Property to be Conveyed. The parties agree that the description of the tracts of land that the County will purchase was taken from a Special Purpose Survey (Job No. 031099) prepared by Tri-County Survey, Inc. and dated July 9, 2004. On March 18, 2005, Tri-County Survey, Inc. prepared a final survey for the platting of Rockland Key Commerce Center, which includes the property to be purchased by the County. The Seller and the surveyor changed the tract numbers on the final survey that will be used for plat submission. The tracts that are subject to the Contract are now designated as follows:

#### **Tracts 4,5,13,20, according to the Rockland Key Master Site Plan**

The surveyor has prepared legal descriptions for each of the above tracts, designating the four tracts as ~~Parcels A, B, C and D~~. The legal descriptions for each of the tracts/parcels are attached to this Addendum as Exhibit A, together with two sketches of the property so described. The parties acknowledge and agree that this is the same property that the County agreed to purchase pursuant to the terms of the Contract.

4. Modification. This Addendum sets forth the entire agreement between the parties with respect to the matters set forth herein and may not be modified orally but only by a written instrument signed by both Seller and Buyer.
5. Binding Effect. This Addendum shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors and assigns.
6. Amendment. This Addendum shall be deemed to be an amendment to the Contract. Except as specifically set forth herein, the Contract shall remain unaltered and unchanged, in full force and effect, and enforceable according to its terms.

EXPLANATORY  
Back-Up



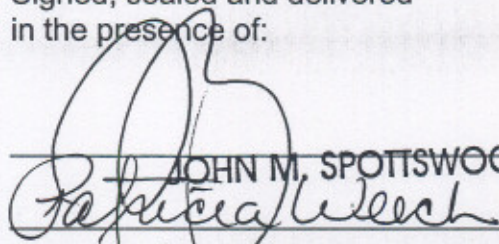
7. Counterparts. This Addendum may be executed in counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same document, notwithstanding that no single counterpart has been signed by all parties. Further, the parties agree this Addendum may be executed and delivered by facsimile signature and shall be originally executed as soon as practicable thereafter.

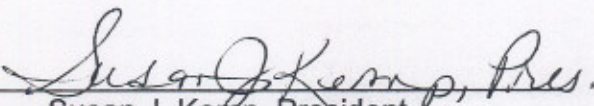
In Witness Whereof, the parties have hereunder set their hands and seals as of the date set forth above.

Signed, sealed and delivered  
in the presence of:

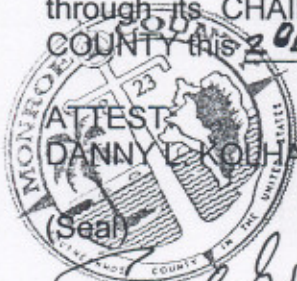
**SELLER:**

ROCKLAND INVESTMENT CORPORATION,  
INC.

  
JOHN M. SPOTTSWOOD, JR.  
Patricia Weech

By   
Susan J. Kemp, President


The MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, acting by and through its CHAIRMAN/MAYOR has executed this agreement on behalf of MONROE COUNTY this 20th day of July, 2005.

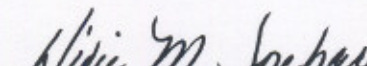


ATTEST  
DANNY L. KOLHAGE, CLERK

**BUYER:**

MONROE COUNTY

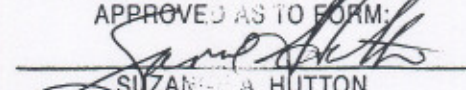
  
By: Deputy Clerk

  
Dixie M. Spehar, Chairman/Mayor  
Monroe County Board of Commissioners

FILED FOR RECORD  
05 JUL 26 PM 2:59  
DANNY L. KOLHAGE  
CLK. CIR. CT.  
MONROE COUNTY, FLA

\\JUKK\MP\ROCKLAND\Sale to Monroe County\Addendum#1.DOC

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:

  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY  
Date 6/24/05